

**CLEARY GIACOBBE ALFIERI JACOBS LLC**

169 Ramapo Valley Road

Upper Level 105

Oakland, New Jersey 07436

Tel: 973-845-6700

Fax: 201-644-7601

Anthony P. Seijas, Esq. (Attorney ID No. 029711996)

Attorneys for Defendants, City of Asbury Park, Asbury Park

Police Department and Sergeant Sean Deshader

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

DAYVON JELANI WHITE, as  
Administrator of the Estate of  
HASANI K. BEST, deceased, and  
JAMILA MADDICKS, as Mother and  
Natural Guardian of J.B., the  
infant of HASANI BEST, and  
DAYVON JELANI WHITE,  
Individually, and HALEEMA  
BROWN, as Mother and Natural  
Guardian of S.B., the infant of  
HASANI BEST,

Plaintiffs,

vs.

CITY OF ASBURY PARK, ASBURY  
PARK POLICE DEPARTMENT,  
MONMOUTH COUNTY SHERIFF'S  
DEPARTMENT, and SERGEANT SEAN  
DESHADER,

Defendants.

CIVIL ACTION NO.

**NOTICE OF REMOVAL**

TO THE HONORABLE JUDGES OF THE UNITED DISTRICT COURT FOR  
THE DISTRICT OF NEW JERSEY:

Cleary Giacobbe Alfieri Jacobs LLC, counsel for the  
defendants, CITY OF ASBURY PARK, ASBURY PARK POLICE DEPARTMENT,  
and SERGEANT SEAN DESHADER in the above-captioned matter, hereby

file this Notice of Removal to remove an action currently pending in the Superior Court of New Jersey to the United States District Court for the District of New Jersey.

As grounds for removal, Defendants, City of Asbury Park, Asbury Park Police Department and Sergeant Sean Deshader state as follows:

1. The plaintiff, Dayvon Jelani White, as Administrator of the Estate of Hasani K. Best, deceased, and Jamila Maddicks, as Mother and Natural Guardian of J.B., the infant of Hasani Best, and Dayvon Jelani White, Individually, and Haleema Brown, as Mother and Natural Guardian of S.B., the infant of Hasani Best ("Plaintiff"), initiated this action in the Superior Court of New Jersey, Law Division, Monmouth County, under Docket No. MON-L-3253-21 by way of complaint entitled Dayvon Jelani White, as Administrator of the Estate of Hasani K. Best, deceased, et als. v. City of Asbury Park, et al, and filed on September 27, 2021 (the "Complaint"), a copy of which is annexed hereto as **Exhibit A.**

2. Defendants, City of Asbury Park, Asbury Park Police Department and Sergeant Sean Deshader received a copy of the Complaint on September 28, 2021 and are filing this Notice of Removal within 30 days thereof.

3. The foregoing Complaint is all the process, pleadings and orders served upon Defendants, City of Asbury Park, Asbury

Park Police Department and Sergeant Sean Dshader in this action.

4. This action is a civil action over which this Court has original jurisdiction under 28 U.S.C. §1331 and is one which may be removed to this Court by Defendants, City of Asbury Park, Asbury Park Police Department and Sergeant Sean Dshader pursuant to 28 U.S.C. §1441(a) in that Plaintiffs' Complaint asserts claims arising under the Constitution, laws or treaties of the United States. Specifically, Plaintiffs allege violations of 42 U.S.C. §1983 by allegedly being subject to excessive force by police officers employed by the City of Asbury Park.

5. Concurrent with the filing of this Notice of Removal, Defendants, City of Asbury Park, Asbury Park Police Department and Sergeant Sean Dshader are filing a copy with the Clerk, Superior Court of New Jersey, Law Division, Monmouth County and providing a copy hereof to Plaintiffs' counsel, Charles M. Crocco, Esq.

6. Defendants, City of Asbury Park, Asbury Park Police Department and Sergeant Sean Dshader do not waive any defenses by filing this Notice of Removal.

WHEREFORE, Defendants, City of Asbury Park, Asbury Park Police Department and Sergeant Sean Dshader hereby gives notice that the above-captioned case now pending in the Superior Court

of New Jersey, Law Division, Monmouth County is removed therefrom to the United States District Court for the District of New Jersey where it shall proceed as an action originally commenced therein.

CLEARY GIACOBBE ALFIERI JACOBS LLC  
*Attorneys for the Defendants, City of  
Asbury Park, Asbury Park Police Department  
and Sergeant Sean Deshader*

By: /s/ Anthony P. Seijas  
Anthony P. Seijas, Esq.

Dated: October 19, 2021

**CERTIFICATION OF SERVICE**

I hereby certify that on this date I caused a true copy of the foregoing Notice of Removal to be served on all parties of record via overnight delivery to:

Charles M. Crocco, Esq.  
Nelson Fromer Crocco & Jordan  
2300 Route 66, Suite 102  
Neptune, New Jersey 07753  
*Attorneys for Plaintiffs*

I declare under penalty of perjury that the foregoing is true and correct.

CLEARY GIACOBBE ALFIERI JACOBS LLC  
*Attorneys for the Defendants*

By: /s/ Anthony P. Seijas, Esq.  
Anthony P. Seijas, Esq.

Dated: October 19, 2021

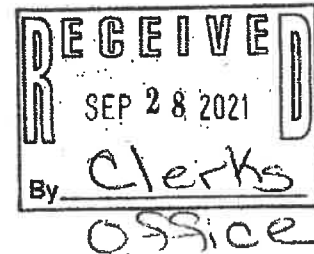
# EXHIBIT A

09/27/2021

Received:  
13:08 Nelson Fromer Crocco JordanSep 27 2021 02:08pm  
(FAX)732 774 8550

P.002/028

Charles M. Crocco, Esq.  
Attorney ID# 019531996  
Nelson, Fromer, Crocco & Jordan  
2300 Route 66, Suite 102  
Neptune, NJ 07753  
Phone: (732) 774-6443  
Fax: (732) 774-7155  
Attorneys for Plaintiffs



Scott E. Rynecki, Esq.  
Attorney ID# 04351989  
Rubenstein & Rynecki  
16 Court Street, Suite 1717  
Brooklyn, New York 11241  
Phone: (718) 522-1020  
Fax: (718) 522-3804  
Attorneys for Plaintiffs

DAYVON JELANI WHITE, as Administrator of the Estate of HASANI K. BEST, deceased, and JAMILA MADDICKS, as Mother and Natural Guardian of J.B., the infant of HASANI BEST, and DAYVON JELANI WHITE, Individually, and HALEEMA BROWN, as Mother and Natural Guardian Of S.B., the infant of HASANI BEST;

: SUPERIOR COURT OF NEW JERSEY  
: LAW DIVISION-MONMOUTH COUNTY  
:  
: DOCKET NO.: MON-L-3253-21  
:  
: SUMMONS

Plaintiffs,

vs.

CITY OF ASBURY PARK, ASBURY PARK POLICE DEPARTMENT, MONMOUTH COUNTY SHERIFF'S DEPARTMENT, and SARGEANT SEAN DESHADER;

Defendants.

From The State of New Jersey To: ASBURY PARK POLICE DEPARTMENT

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (The address of each deputy clerk of the Superior Court is provided.) If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, CN-971, Trenton, New Jersey 08625. A filing fee \* payable to the Clerk of the Superior Court and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written answer or motion within 35 days, the court may enter a judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgment is

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Charles M. Crocco, Esq.  
Attorney ID# 019531996  
Nelson, Fromer, Crocco & Jordan  
2300 Route 66, Suite 102  
Neptune, NJ 07753  
Phone: (732) 774-6443  
Fax: (732) 774-7155  
Attorneys for Plaintiff

entered against you, the Sheriff may seize your money, wages or property to pay all or part of the judgment.

If you cannot afford an attorney, you may call the Legal Services office in the county where you live. A list of these offices is provided. If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A list of these numbers is also provided.

Dated: September 27, 2021

/s/ Michelle M. Smith  
MICHELLE M. SMITH, Clerk of the Superior Court

Name of Defendant to be Served:  
Address of Defendant to be Served:

ASBURY PARK POLICE DEPARTMENT  
1 Municipal Plaza  
Asbury Park, New Jersey 07712



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(FAX) 732 774 8550

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Scott E. Rynecki, Esq.  
Attorney ID # 043501989  
RUBENSTEIN & RYNECKI, ESQS.  
16 Court Street, Suite 1717  
Brooklyn, New York 11241  
Attorneys for Plaintiffs

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MONMOUTH COUNTY  
Docket No.:

Civil Action

**COMPLAINT and JURY DEMAND**

Charles M. Crocco, Esq.  
Attorney ID # 019531996  
LAW OFFICES OF NELSON, FROMER,  
CROCCO & JORDAN  
2300 NJ-66 Suite 102  
Tinton Falls, New Jersey 07753  
Attorneys for Plaintiffs

-----X  
DAYVON JELANI WHITE, as Administrator of the  
Estate of HASANI K. BEST, deceased, and  
JAMILA MADDICKS, as Mother and Natural  
Guardian of J.B., the infant of HASANI BEST, and  
DAYVON JELANI WHITE, individually, and  
HALEEMA BROWN, as Mother and Natural  
Guardian of S.B., the infant of HASANI BEST

Plaintiffs,

-against-

CITY OF ASBURY PARK, ASBURY PARK  
POLICE DEPARTMENT, MONMOUTH  
COUNTY SHERIFF'S DEPARTMENT and  
SERGEANT SEAN DESHADER,

Defendants.  
-----X

Plaintiff, Dayvon Jelani White, residing at 725 Stanley Avenue, Brooklyn, NY 11207, by  
way of complaint against the defendants say:

**STATEMENT OF FACTS**

1. On August 21, 2020, Hasani Best was 39 years of age, having been born on May 7, 1981.

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2. On August 21, 2020, Hasani Best was the father of three:

Dayvon Jelani White, DOB: February 15, 2000

J. B., an infant, DOB: November 7, 2019

S.B an infant, DOB: February 1, 2018

3. On August 21, 2020, Hasani Best was present on the premises known as 915 4<sup>th</sup> Avenue, Asbury Park, New Jersey.

4. On August 21, 2020, members of the Asbury Park Police Department were present within the premises known as 915 4<sup>th</sup> Avenue, Asbury Park, New Jersey.

5. On August 21, 2020, members of the Monmouth County Sheriff's Department were present within the premises known as 915 4<sup>th</sup> Avenue, Asbury Park, New Jersey.

6. On August 21, 2020, members of the Asbury Park Police Department were called to the premises known as 915 4<sup>th</sup> Avenue, Asbury Park, New Jersey to respond to a call relating to a domestic dispute.

7. On August 21, 2020, members of the Monmouth County Sheriff's Department were present within the premises known as 915 4<sup>th</sup> Avenue, Asbury Park, New Jersey to response to and assist members of the Asbury Park Police Department.

8. On August 21, 2020, for approximately a one hour period a negotiation took place at the above location between the decedent plaintiff, Hasani Best, and members of the Asbury Park Police Department, including Sergeant Sean DeShader.

9. On August 21, 2020, Sean DeShader was an employee of the Asbury Park Police Department.

10. On August 21, 2020, Sean DeShader was a Sergeant in the Asbury Park Police Department.

11. On August 21, 2020, Sergeant Sean DeShader was present within the premises known as

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915 4<sup>th</sup> Avenue, Asbury Park, New Jersey in his capacity as a police officer with the Asbury Park Police Department.

12. On August 21, 2020 and for some time prior thereto, Sergeant Sean DeShader was familiar with the decedent plaintiff, Hasani Best.

13. On August 21, 2020, Sergeant Sean DeShader was involved in an ongoing dialogue with the decedent plaintiff, Hasani Best, for approximately forty-five (45) minutes within the premises known 915 4<sup>th</sup> Avenue, Asbury Park, New Jersey.

14. On August 21, 2020, decedent plaintiff, Hasani Best, was shot multiple times by Sergeant Sean DeShader within the premises known as 915 4<sup>th</sup> Avenue, Asbury Park, New Jersey.

15. On August 21, 2020, the decedent plaintiff, Hasani Best, died as a result of multiple gunshot wounds.

16. On August 21, 2020, the shooting and discharge of his weapon by Sergeant Sean DeShader was without proper justification and/or provocation and not how a reasonably prudent police officer would have acted under the circumstances.

17. On August 21, 2020, Hasani Best was pronounced dead at Jersey Shore Medical Center as a result of being shot multiple times by Sergeant Sean DeShader.

18. On June 11, 2021, Dayvon Jelani White was granted Letters of Administration of the Estate of Hasani Best by Honorable Judge Nelida Malave-Gonzalez of the Bronx County Surrogate Court in Bronx, New York, (A copy attached hereto.)

19. On October 20, 2020 and again on June 15, 2021, a Notice of Claim was served upon the Asbury Park Police Department, Asbury Park, State of New Jersey and Monmouth County. (Copies attached.)

20. To date, Asbury Park Police Department and the City of Asbury Park have failed to

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acknowledge or respond to the Notice of Claim.

21. The within incident and shooting of decedent plaintiff, Hasani Best, by Asbury Park Police Sergeant Sean DeShader was widely reported on by numerous television, radio and newspaper outlets within New Jersey.

22. The within incident is the subject of an investigation by the Attorney General's Office of the State of New Jersey pursuant to the "Independent Prosecutor Directive" which governs use of force investigations involving use of force by police officers in the State of New Jersey.

#### FIRST COUNT

1. On or about August 21, 2020, the decedent plaintiff, Hasani Best, was within the premises known as 915 4<sup>th</sup> Avenue, Asbury Park, County of Monmouth, State of New Jersey.

2. At all times relevant herein, the defendant, the City of Asbury Park, was an existing and duly incorporated and organized municipal corporation under the law of the State of New Jersey.

3. At all times relevant herein, the defendant, Asbury Park Police Department, was a duly established department of the defendant, the City of Asbury Park.

4. At all times relevant herein, the defendant, Sergeant Sean DeShader, was a police officer employed by the defendants the City of Asbury Park and Asbury Park Police Department.

5. At all times relevant herein, the defendant, Sergeant Sean DeShader, was acting his capacity as a law enforcement officer for his respective employers, the defendants, the City of Asbury Park and Asbury Park Police Department.

6. At the time and place set forth above, the decedent plaintiff Hasani Best sustained serious and permanent injuries, including multiple gunshot wounds resulting in death, as a result of the negligence and carelessness of the defendants named herein as a defined and delineated by the New Jersey Tort Claim Act.

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7. The defendant, Sergeant Sean DeShader, and vicariously, his employers, the City of Asbury Park and Asbury Park Police Department, were negligent and careless as defined and delineated by the New Jersey Tort Claims Act.

8. The defendants, the City of Asbury Park and Asbury Park Police Department, were negligent, reckless and careless, as defined and delineated by the New Jersey Tort Claims Act, in failing to provide adequate training to its police officers, including the individual defendants named herein, regarding the standards and methods of appropriate police procedures, including the discharge of a weapon.

9. The plaintiffs provided the defendants named herein with proper notice pursuant to N.J.S.A. 59:1-1, et seq., on or about October 20, 2020 and June 15, 2021. (That tort claim is annexed hereto and incorporated herein).

10. As a result of the aforesaid negligence and carelessness of the defendants, the decedent plaintiff, Hasani Best, was severely injured and suffered permanent disability, including death and wrongful death, pre-impact terror and conscious pain and suffering.

11. As a result of the aforesaid negligence and recklessness of the defendants, the decedent plaintiff, Hasani Best, suffered a wrongful death.

WHEREFORE, plaintiffs demand judgment for damages against the defendants, together with interest and costs in suit.

#### SECOND COUNT

1. Plaintiffs repeat and reallege all of the allegation of the First Count as though set forth herein verbatim.

2. The defendant, Sergeant Sean DeShader, committed an assault and battery upon the decedent plaintiff, Hasani Best, thereby causing and resulting in the wrongful death of the decedent

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plaintiff, Hasani Best.

3. The defendant, Sergeant Sean DeShader, committed intentional acts upon the decedent plaintiff, Hasani Best, thereby causing wrongful death of the decedent plaintiff, Hasani Best.

4. As a result of the aforesaid intentional acts of the defendant, the decedent plaintiff, Hasani Best, was severely injured and suffered wrongful death,

WHEREFORE, plaintiffs demand judgment for damages against the defendant, together with interest and costs in suit.

#### THIRD COUNT

1. Plaintiffs repeat and reallege all of the allegations of the First Count and Second Count as though set forth herein verbatim.

2. The defendants named herein violated the civil rights of the decedent plaintiff, Hasani Best, resulting in the deprivation of his rights, privileges and/or immunities secured by the Constitution and Federal Laws, which violations proximately caused serious injury, disability, wrongful death and other damages to the decedent plaintiff, Hasani Best.

3. Plaintiffs allege that the defendants are liable to the decedent plaintiff, Hasani Best, for the aforesaid violations of his civil rights pursuant to and in accordance with the provisions of the applicable Federal Statutes, 42 U.S.C.A. Section 1983, et seq.

WHEREFORE, plaintiffs demand judgment for damages against the defendant, together with interest and costs in suit.

#### FOURTH COUNT

1. The plaintiff, Dayvon Jelani White, repeats and realleges all the allegations of the prior Counts and makes the same a part hereof as though set forth herein at length.

2. The plaintiff, Dayvon Jelani White, is the administrator of the estate of the decedent

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plaintiff, Hasani Best.

3. As a result of the injuries and death suffered by his father, the decedent plaintiff, Hasani Best, this plaintiff, Dayvon Jelani White, suffered a loss of his father's aid, comfort and consortium.

WHEREFORE, plaintiffs demand judgment for damages against the defendant, together with interest and costs in suit.

#### FIFTH COUNT

1. The plaintiff, Jamila Maddicks, on behalf of the infant, J.B., repeats and realleges all of the allegations of the prior Counts and makes the same a part hereof as though set forth herein at length.

2. This plaintiff, Jamila Maddicks, is the Mother and Natural Guardian of the infant plaintiff, J.B., who is the daughter of the decedent plaintiff, Hasani Best.

3. As a result of the injuries suffered by her father decedent plaintiff, Hasani Best, this infant plaintiff, J.B., suffered a loss of her father's aid, comfort and consortium.

WHEREFORE, plaintiffs demand judgment for damages against the defendant, together with interest and costs in suit.

#### SIXTH COUNT

1. The plaintiff, Haleema Brown, on behalf of the infant, S.B., on behalf of the infant, repeats and realleges all of the allegations of the prior Counts and makes the same a part hereof as though set forth herein at length.

2. This plaintiff, Haleema Brown, is the Mother and Natural Guardian of the infant plaintiff, S.B., who is the son of the decedent plaintiff, Hasani Best.

3. As a result of the injuries suffered by his father decedent plaintiff, Hasani Best, this infant



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plaintiff, S.B., suffered a loss of her father's aid, comfort and consortium.

WHEREFORE, these plaintiffs demand judgment against the defendants for damages, together with interest and cost of suit.

RUBENSTEIN & RYNECKI, ESQS.  
Attorneys for Plaintiffs

By:   
SCOTT E. RYNECKI, ESQ.

WHEREFORE, these plaintiffs demand Trial by Jury on all issues.

RUBENSTEIN & RYNECKI, ESQS.  
Attorneys for Plaintiffs

By:   
SCOTT E. RYNECKI, ESQ.

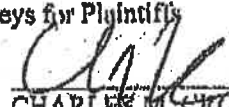
WHEREFORE, these plaintiffs demand judgment against the defendants for damages, together with interest and cost of suit.

LAW OFFICES OF NELSON, FROMER,  
CROCCO & JORDAN  
Attorneys for Plaintiffs

By:   
CHARLES M. CROCCO, ESQ.

WHEREFORE, these plaintiffs demand Trial by Jury on all issues.

LAW OFFICES OF NELSON, FROMER,  
CROCCO & JORDAN  
Attorneys for Plaintiffs

By:   
CHARLES M. CROCCO, ESQ.

DATED: Brooklyn, New York  
August 3, 2021



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**CERTIFICATION IN ACCORDANCE WITH R.4:5-1**

1. The matter in controversy is not the subject of any other action pending in any Court or a pending arbitration proceeding,
2. No other action or arbitration proceeding is contemplated.
3. There are no known parties who may be liable to any party on the basis of the transactions or events which form the subject matter of this action who should be joined pursuant to R.4:48.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I may be subject to punishment.

  
SCOTT E. RYNECKI, ESQ.

  
CHARLES M. CROCCO, ESQ.

DATED: Brooklyn, New York  
August 3, 2021

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## RUBENSTEIN & RYNECKI

ATTORNEYS AT LAW  
16 COURT STREET, SUITE 1717  
BROOKLYN, NEW YORK 11241  
Tel. (718) 522-1020  
Fax. (718) 522-3804

SANFORD A. RUBENSTEIN  
SCOTT RYNECKI\*  
ROBERT MIJUCA

RICHARD M. LEVY  
HARPER A. SMITH  
MARC R. BATTIPAGLIA\*  
CHAD RUSSELL  
HARRIS L. MARKS\*  
JEREMY SEEMAN  
SAMANTHA RADLEVICH  
ADMITTED IN NY & NJ

October 20, 2020

Via First Class Mail and Certified Mail R.R.R.  
Cert. Tracking No.: 7013 1710 0001 2920 0466  
FedEx Tracking No.: 8119 3624 8715  
Asbury Park Municipal Court  
1 Municipal Plaza  
Asbury Park, NJ 07712

Re:

Date of Accident: August 21, 2020  
Decedent: Hasani Best

Dear Sir/Madam:

Please be advised that this office has been retained to represent the Estate of Hasani Best for serious personal injuries sustained resulting in his death as a result of multiple gunshot wounds that occurred on August 21, 2020. Pursuant to N.J.S.A. 59:8-4, please be advised as follows:

- (A) Name & Address of Client(s):
- Daywon Jelani White as Proposed  
Administrator of the Estate of Hasani Best  
and Individually as the son of Hasani Best  
and on behalf of the daughter of Hasani  
Best, Infant Jena Best,  
725 Stanley Avenue  
Brooklyn, New York 11207*
- Jamila Maddicks as m/n/g of Jena Best, the  
daughter of Hasani Best  
2075 Wallace Avenue  
Bronx, New York 10462*
- (B) Name & Address of Attorney:
- Rubenstein & Rynecki, Esqs.  
16 Court Street, Suite 1717  
Brooklyn, New York 11241  
Attn: Scott E. Rynecki, Esq.*
- Lynch Lynch Held Rosenberg, P.C.  
440 State Route 17 North  
Hasbrouck Heights, New Jersey 07604*

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Attn: Arthur Lynch, Esq.

- (C) Date of Accident & Location: August 21, 2020  
915 4<sup>th</sup> Avenue, Asbury Park, New Jersey,  
Monmouth County
- (D) Description of Injuries: The full extent of the claimant's injuries are including but not limited to gunshot wounds resulting in death, pre-impact terror, conscious pain and suffering and civil rights violations.
- (E) Responsible Parties: Agent, servants and/or employees of the State of New Jersey, Asbury Park Police Department, Asbury Park Municipal Court, Monmouth County and the Office of the Attorney General.
- (F) Amount of Damages Claimed: The full extent of the claimant's injuries cannot be determined at the present time as all records have not been obtained, as claimant is awaiting autopsy report. Claimant will make monetary claims for twenty five millions dollars (\$25,000,000.00) on behalf of the Estate of Hasani Best and the surviving children of Hasani Best.
- (G) Exhibits See multiple newspaper article annexed hereto.

If you have any questions regarding this matter, please feel free to call upon me.

Very truly yours,

Scott E. Rynecki, Esq.  
RUBENSTEIN & RYNECKI, ESQS.

Cer

Via First Class Mail and Certified Mail R.R.R. and FedEx  
Asbury Park Police Department  
1 Municipal Plaza #1  
Asbury Park, NJ 07712

Via First Class Mail and Certified Mail R.R.R.  
Monmouth County  
One East Main Street  
P.O. Box 1255  
Freehold, NJ 07728

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Via First Class Mail and Certified Mail R.R.R. and FedEx  
Office of the Attorney General  
Richard J. Hughes Justice Complex  
25 Market Street  
8th Floor, West Wing  
Trenton, NJ 08625-0080

Via First Class Mail and Certified Mail R.R.R.  
Dept. of Treasury  
Bureau of Risk Management  
PO Box 620  
Trenton, NJ 08625  
Attn: Tort Claims Unit

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# **RUBENSTEIN & RYNECKI**

ATTORNEYS AT LAW  
16 COURT STREET, SUITE 1717  
BROOKLYN, NEW YORK 11241  
Tel: 718-622-1020  
Fax: 718-622-3808

SANFORD A. RUBENSTEIN  
SCOTT RYNECKI  
ROBERT MULLICA

ROBERT MULLICA  
JUDITH A. SUTHER  
MARK A. HATFIELD  
CANDICE S. SELL  
HARRIS L. MARKS  
JEREMY STEVANS  
SAMANTHA KRAVITZ  
MICHELLE J. KANE

June 14, 2021

## Via First Class Mail and Certified Mail R.R.R.

Tracking No.:

FedEx No.:

Asbury Park Municipal Court

1 Municipal Plaza

Asbury Park, NJ 07712

Re: Date of Accident: August 21, 2020  
Decedent: Hasanai Best

Dear Sir Madam:

Please accept this Amended Notice of Claim on behalf of the Estate of Hasanai Best. A previous Notice of Claim was served by the "Proposed Administrator" and received on October 22, 2020. The reason for this amendment is to indicate that the Bronx Surrogate's Court has now since acted and appointed Dayvon Jelani White as the Administrator of the Estate of Hasanai Best. Please see the prior Notice of Claim and Signed Decree from the Bronx Surrogate's Court annexed hereto. Please be advised that this office has been retained to represent the Estate of Hasanai Best for serious personal injuries sustained resulting in his death as a result of multiple gunshot wounds that occurred on August 21, 2020. Pursuant to N.J.S.A. 50:8-4, please be advised as follows:

(A) Name & Address of Client(s):

*Dayvon Jelani White as  
Administrator of the Estate of Hasanai Best  
and individually as the son of Hasanai Best  
and on behalf of the daughter of Hasanai  
Best, Infant Jena Best,  
725 Stanley Avenue  
Brooklyn, New York 11207*

*Janita Maddicks as a/g of Jena Best, the  
daughter of Hasanai Best  
2075 Wallace Avenue  
Bronx, New York 10462*

(B) Name & Address of Attorney:

*Rubenstein & Rynecki, L.P.C.  
16 Court Street, Suite 1717  
Brooklyn, New York 11241  
Attn: Scott L. Rynecki, Esq.*

09/27/2021 13:10 Nelson Fromer Crocco Jordan

Sep 27 2021 02:11pm  
(FAX) 732 774 8550

P.020/028

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Lynch Lynch Hill Rosenberg, P.C.  
440 State Route 17 North  
Haddonfield Heights, New Jersey 07601  
Att: Arthur Lynch, Esq.

(C) Date of Accident & Location:

August 21, 2020  
915 4th Avenue, Ashbury Park, New Jersey,  
Monmouth County

(D) Description of Injuries:

The full extent of the claimant's injuries are including but not limited to gunshot wounds resulting in death, pre-impact terror, conscious pain and suffering and civil rights violations.

(E) Responsible Parties:

Agent, servants and or employees of the State of New Jersey, Ashbury Park Police Department, Ashbury Park Municipal Court, Monmouth County and the Office of the Attorney General.

(F) Amount of Damages Claimed:

The full extent of the claimant's injuries cannot be determined at the present time as all records have not been obtained, as claimant is awaiting autopsy report. Claimant will make monetary claims for ten millions dollars (\$10,000,000.00) on behalf of the Estate of Hasani Best and the surviving children of Hasani Best.

(G) Exhibits

See multiple newspaper article annexed hereto.

If you have any questions regarding this matter, please feel free to call upon me.

Very truly yours,

Scott A. Rynecki, Esq.  
RUDESTEIN & RYNECKI, ESQS.

Cc:

Via First Class Mail and Certified Mail R.R.R. and FedEx  
Ashbury Park Police Department  
1 Municipal Plaza #1  
Ashbury Park, NJ 07712

Via First Class Mail and Certified Mail R.R.R. and FedEx  
Monmouth County  
One East Main Street  
P.O. Box 1255  
Freehold, NJ 07728

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Via First Class Mail and Certified Mail R.R. and FedEx  
Office of the Attorney General  
Richard J. Hughes Justice Complex  
25 Market Street  
8th Floor, West Wing  
Trenton, NJ 08625-4080




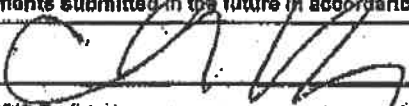
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Appendix XII-B1

	<b>CIVIL CASE INFORMATION STATEMENT (CIS)</b>  Use for Initial Law Division Civil Part pleadings (not motions) under Rule 4:5-1 Pleading will be rejected for filing, under Rule 1:5-6(c), if information above the black bar is not completed or attorney's signature is not affixed		FOR USE BY CLERK'S OFFICE ONLY: PAYMENT TYPE: <input type="checkbox"/> CK <input type="checkbox"/> CG <input type="checkbox"/> CA CHG/CK NO.: AMOUNT: OVERPAYMENT: BATCH NUMBER:	
	ATTORNEY/PROSE NAME Charles M. Crocco, Esq.		TELEPHONE NUMBER (732) 774-8443	
	FIRM NAME (if applicable) Nelson, Fromer, Crocco & Jordan		COUNTY OF VENUE Monmouth	
	OFFICE ADDRESS 2300 Route 88 - Suite 102 P.O. Box 279 Neptune, N.J. 07754		DOCKET NUMBER (when available)  DOCUMENT TYPE Complaint JURY DEMAND <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
NAME OF PARTY (e.g., John Doe, Plaintiff) Dayvon Jelani White, as Administrator of the Estate of Hasani K. Best, deceased, et als.		CAPTION Dayvon Jelani White, et als. v. City of Asbury Park, et als.		
CASE TYPE NUMBER (See reverse side for listing) 005		IS THIS A PROFESSIONAL MALPRACTICE CASE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF YOU HAVE CHECKED "YES," SEE N.J.S.A. 2A:83A-27 AND APPLICABLE CASE LAW REGARDING YOUR OBLIGATION TO FILE AN AFFIDAVIT OF MERIT. IF YES, LIST DOCKET NUMBERS		
RELATED CASES PENDING? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		NAME OF DEFENDANT'S PRIMARY INSURANCE COMPANY (if known) UNKNOWN <input type="checkbox"/> NONE <input checked="" type="checkbox"/> UNKNOWN		
THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE.				
CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION				
DO PARTIES HAVE A CURRENT, PAST OR RECURRENT RELATIONSHIP? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		IF YES, IS THAT RELATIONSHIP: <input type="checkbox"/> EMPLOYER/EMPLOYEE <input type="checkbox"/> FRIEND/NEIGHBOR <input type="checkbox"/> OTHER (explain) <input type="checkbox"/> FAMILIAL <input type="checkbox"/> BUSINESS		
DOES THE STATUTE GOVERNING THIS CASE PROVIDE FOR PAYMENT OF FEES BY THE LOSING PARTY? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO				
USE THIS SPACE TO ALERT THE COURT TO ANY SPECIAL CASE CHARACTERISTICS THAT MAY WARRANT INDIVIDUAL MANAGEMENT OR ACCELERATED DISPOSITION				
I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with Rule 1:38-7(b).				
ATTORNEY SIGNATURE: 				



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Side 2



## CIVIL CASE INFORMATION STATEMENT (CIS)

Use for initial pleadings (not motions) under Rule 4:5-1

**CASE TYPES** (Choose one and enter number of case type in appropriate space on the reverse side.)

**Track I - 180 days' discovery**

- 151 NAME CHANGE
- 175 FORFEITURE
- 302 TENANCY
- 309 REAL PROPERTY (other than Tenancy, Contract, Condemnation, Complex Commercial or Construction)
- 502 BOOK ACCOUNT (debt collection matters only)
- 505 OTHER INSURANCE CLAIM (including declaratory judgment actions)
- 506 PIP COVERAGE
- 510 UM or UIM CLAIM (coverage issues only)
- 511 ACTION ON NEGOTIABLE INSTRUMENT
- 512 LEMON LAW
- 601 SUMMARY ACTION
- 602 OPEN PUBLIC RECORDS ACT (summary action)
- 999 OTHER (briefly describe nature of action)

**Track II - 300 days' discovery**

- 305 CONSTRUCTION
- 508 EMPLOYMENT (other than CEPA or LAD)
- 599 CONTRACT/COMMERCIAL TRANSACTION
- 603N AUTO NEGLIGENCE - PERSONAL INJURY (non-verbal threshold)
- 603Y AUTO NEGLIGENCE - PERSONAL INJURY (verbal threshold)
- 605 PERSONAL INJURY
- 610 AUTO NEGLIGENCE - PROPERTY DAMAGE
- 621 UM or UIM CLAIM (includes bodily injury)
- 699 TORT - OTHER

**Track III - 450 days' discovery**

- 005 CIVIL RIGHTS
- 301 CONDEMNATION
- 602 ASSAULT AND BATTERY
- 604 MEDICAL MALPRACTICE
- 606 PRODUCT LIABILITY
- 607 PROFESSIONAL MALPRACTICE
- 608 TOXIC TORT
- 609 DEFAMATION
- 618 WHISTLEBLOWER / CONSCIENTIOUS EMPLOYEE PROTECTION ACT (CEPA) CASES
- 617 INVERSE CONDEMNATION
- 616 LAW AGAINST DISCRIMINATION (LAD) CASES

**Track IV - Active Case Management by Individual Judge / 450 days' discovery**

- 166 ENVIRONMENTAL/ENVIRONMENTAL COVERAGE LITIGATION
- 303 MT. LAUREL
- 508 COMPLEX COMMERCIAL
- 513 COMPLEX CONSTRUCTION
- 514 INSURANCE FRAUD
- 620 FALSE CLAIMS ACT
- 701 ACTIONS IN LIEU OF PREROGATIVE WRITS

**Centrally Managed Litigation (Track IV)**

- 280 ZELNORM
- 285 STRYKER TRIDENT HIP IMPLANTS
- 288 PRUDENTIAL TORT LITIGATION

- 280 POMPTON LAKES ENVIRONMENTAL LITIGATION
- 281 PELVIC MESH/GYNECARE
- 282 PELVIC MESH/HARD

**Mass Tort (Track IV)**

- 248 CIBA GEIGY
- 268 HORMONE REPLACEMENT THERAPY (HRT)
- 271 ACCUTANE
- 274 RISPERDAL/SEROQUEL/ZYPREXA
- 275 ORTHO EVRA
- 277 MAHWAH TOXIC DUMP SITE
- 278 ZOMETHA/AREXIA
- 279 GADOLINIUM

- 281 BRISTOL-MYERS SQUIBB ENVIRONMENTAL
- 282 FOSAMAX
- 283 DIGITEK
- 284 NUVARING
- 285 LEVAQUIN
- 287 YAZ/YASMIN/OCELLA
- 601 ASBESTOS

If you believe this case requires a track other than that provided above, please indicate the reason on Side 1, in the space under "Case Characteristics."

Please check off each applicable category ☐ Putative Class Action ☐ Title 89

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## Civil Case Information Statement

Case Details: MONMOUTH | Civil Part Docket# L-003253-21

Case Caption: WHITE DAYVON VS CITY OF ASBURY  
PARK

Case Initiation Date: 09/22/2021

Attorney Name: CHARLES MICHAEL CROCCO

Firm Name: NELSON FROMER CROCCO & JORDAN

Address: 2300 ROUTE 66, STE 102 P.O. BOX 279  
NEPTUNE TWP NJ 07764

Phone: 7327748443

Name of Party: PLAINTIFF : White, Dayvon, J

Name of Defendant's Primary Insurance Company

(If known): Unknown

Case Type: CIVIL RIGHTS

Document Type: Complaint with Jury Demand

Jury Demand: YES - 6 JURORS

Is this a professional malpractice case? NO

Related cases pending: NO

If yes, list docket numbers:

Do you anticipate adding any parties (arising out of same  
transaction or occurrence)? NO

Are sexual abuse claims alleged by: Dayvon J White? NO

Are sexual abuse claims alleged by: Jamila Maddicks? NO

Are sexual abuse claims alleged by: Dayvon J White? NO

Are sexual abuse claims alleged by: Haleema Brown? NO

**THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE**  
CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION.

Do parties have a current, past, or recurrent relationship? NO

If yes, is that relationship:

Does the statute governing this case provide for payment of fees by the losing party? YES

Use this space to alert the court to any special case characteristics that may warrant individual  
management or accelerated disposition:

Do you or your client need any disability accommodations? NO

If yes, please identify the requested accommodation:

Will an interpreter be needed? NO

If yes, for what language:

Please check off each applicable category: Putative Class Action? NO Title 50? NO Consumer Fraud? NO

I certify that confidential personal identifiers have been redacted from documents now submitted to the  
court, and will be redacted from all documents submitted in the future in accordance with Rule 1:38-7(b)

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09/27/2021 13:11 Nelson Fromer Crocco Jordan (FAX) 732 774 8550 P.025/028  
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09/22/2021

Dated

/s/ CHARLES MICHAEL CROCCO  
Signed